REMARKS

In response to the Office Action dated January 11, 2008, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance. Prior to entry of this response, Claims 1-28 were pending in the application, of which Claims 1, 21, 24, and 26 are independent. In the Office Action dated January 11, 2008, Claims 5 and 23 were rejected under 35 U.S.C. § 112 and Claims 1-28 were rejected under 35 U.S.C. § 102(b). Following this response, Claims 1-28 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I.   Rejection of the Claims Under 35 U.S.C. § 112, Second Paragraph

In the Office Action dated January 11, 2008, the Examiner rejected Claims 5 and 23 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Claims 5 and 23 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

II.   Rejection of the claims under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claims 1-28 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,944,786 ("*Quinn*"). Claims 1, 21, 24, and 26 have been amended in an effort to address the Examiner's concerns, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "wherein constructing the first notification message comprises converting information from the first e-mail message into a voicemail message." Amended Claims 21 and 24 each includes a similar recitation. Support for these amendments can be found in the specification at least on page 10, lines 14-23.

Consistent with exemplary embodiments a message notification and consolidation module may prepare a voicemail message 300 containing information that may allow a voicemail receiver to know what electronic mail messages have been received by the voicemail receiver. (*See* specification, page 10, lines 14-17.) The message notification and consolidation module may convert header information for a given electronic mail message…from a text format to a speech format. (*See* specification, page 10, lines 19-22.) One continuous text-to-speech formatted message may be prepared by the message notification and consolidation module representing portions of a given electronic mail message. (*See* specification, page 11, lines 23-26.)

In contrast, *Quinn* at least does not disclose the aforementioned recitation. For example, *Quinn* discloses that an e-mail server automatically communicates an e-mail received data signal to a telephone system messaging system. (*See* col. 4, lines 30-32.) That in turn communicates a notification signal to an indicator on a telephone or similar notification means, that is situated at the recipient's location. (*See* col. 4, lines 32-35.) In *Quinn,* if e-mail is present and has not been retrieved, a forwarding software generates a data signal containing a message received signal and a recipient identifier code. (*See* col. 6, lines 6-9.) *Quinn* discloses that a notification interface software generates appropriate voice messaging system commands and communicates them to

a voice messaging system visual message waiting signaling unit. (*See* col. 6, lines 53-56.) The voice messaging system visual message waiting signaling unit is instructed to send the notification signal containing an activation signal to a notification device. (*See* col. 6, lines 56-58.) *Quinn* further discloses that the notification signal is communicated via the telephone system to a subscriber's telephone node and telephone voice message indicator. (*See* col. 7, lines 13-15.) The notification signal indicates to the subscriber that a voice message is in the subscriber's voice mailbox. (*See* col. 7, lines 15-16.) Consequently in *Quinn*, a telephone system messaging system communicates a notification signal to an indicator on a telephone. Accordingly, *Quinn* is completely silent regarding a voicemail notification converted from information in an e-mail message.

Quinn does not anticipate the claimed isubject matter because *Quinn* at least does not disclose "wherein constructing the first notification message comprises converting information from the first e-mail message into a voicemail message," as recited by amended Claim 1. Amended Claims 21, 24, and 26 each includes a similar recitation. Accordingly, independent Claims 1, 21, 24, and 26 are each distinguishably patentable over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 21, 24, and 26.

Dependent Claims 2-20, 22-23, 25, and 27-28 are also allowable at least for the reasons described above regarding independent Claims 1, 21, and 24, and by virtue of their respective dependencies upon independent Claims 1, 21, and 24. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-20, 22-23, 25, and 27-28.

III.   Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the claimed subject matter that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725

Respectfully submitted,

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